

1  
2  
3  
4 MICHAEL L. OVERTON, C47370,  
5 Plaintiff,  
6 v.  
7 NANCY E. O'MALLEY, et al.,  
8 Defendant(s).

9 Case No. [20-cv-05375-CRB](#) (PR)

10  
11 **ORDER OF DISMISSAL**

12 This civil action by a prisoner was filed in the Eastern District of California on July 24,  
13 2020 and transferred to this court on August 4, 2020. This court notified plaintiff in writing at that  
14 time, August 4, 2020, that the action was deficient because plaintiff did not pay the requisite  
15 \$400.00 filing fee or, instead, submit a signed court-approved in forma pauperis application,  
16 including a completed certificate of funds in the prisoner's account and a copy of the prisoner's  
17 trust account statement for the last six months. See 28 U.S.C. § 1915(a)(2). Plaintiff was advised  
18 that failure to file the requested items within 28 days would result in dismissal of the action.

19 More than 28 days have elapsed; however, plaintiff has not provided the court with the  
20 requisite items or sought an extension of time to do so. The action accordingly is DISMISSED  
21 without prejudice.

22 The clerk shall close the file and terminate all pending motions as moot.

23 **IT IS SO ORDERED.**

24 Dated: September 15, 2020

25  
26   
27 CHARLES R. BREYER  
28 United States District Judge